

S P E E C H
OF THE
HON. GEORGE S. BOUTWELL,
OF MASSACHUSETTS,

UPON THE

"BILL TO GUARANTEE TO CERTAIN STATES WHOSE GOVERNMENTS
HAVE BEEN USURPED OR OVERTHROWN, A REPUBLICAN
FORM OF GOVERNMENT,"

DELIVERED IN THE HOUSE OF REPRESENTATIVES,

MAY 4, 1864.

Mr. BOUTWELL said—

Mr. SPEAKER: Before any steps can be safely taken for the organization of local governments either by or for the people inhabiting the territory included within the eleven once existing States, but now rebellious districts of the Union, it is necessary for Congress and the country to come to an understanding of the legal and constitutional relations subsisting between those people and the Government of the United States.

It is my chief purpose, indeed I may say that it is my only purpose, to contribute something, if happily I may, to the attainment of that common understanding; but before I proceed to a discussion of the questions involved in the bill now under consideration, I beg the indulgence of the House while I allude briefly to the remarks made by the gentleman from Ohio, my colleague upon the committee that reported this bill, [Mr. ASHLEY,] in reference to the policy of the President in Louisiana and Arkansas, and to the conduct of Gen. Banks, in his administration of the Department of the Gulf.

It ought to attract observation that since this rebellion opened the Thirty-Seventh Congress commenced its existence and ceased to exist; that this Congress is now closing the fifth month of its First Session, and that up to this time no efficient, indeed no legislative steps whatever have been taken by which the Executive is to be guided in the affairs of the people occupying the territory that has been reclaimed from rebel domination. Under these circumstances I think it due to the country that this House, at least, should do nothing which conveys any reflection upon his policy, unless that policy be clearly and manifestly in contravention of the Constitution or of the well-ascertained and admitted principles of the Government.

When the Mississippi river was opened to navigation, when the subordinates of the rebel government were separated from the capital of the so-called confederacy, when the populous parts of Louisiana were torn from rebel dominion, and the State of Arkansas, in various ways, indicated that there was an existing opinion among the people in favor of a return to the allegiance which was due from them to this Government, the Executive had but one of three courses before him ; either to be silent, to be inactive, to govern by military authority alone, to establish a civil government, or at least to take initiatory steps for the establishment of such a Government. It was unquestionably his right and duty, in the absence of all legislative action, to govern these districts of country by military power as fast and as far as they were reclaimed.

I agree with what has been so often said upon this floor, that, as far as practicable, we should avoid the exercise of military authority in the civil affairs of the people. I do not know that anything has been done in Arkansas and Louisiana in the re-establishment of civil authority that is in contravention of the known principles of our Government. The President has initiated steps for the organization of civil authority, and in the absence of legislative action I hold it to have been his duty to take steps in that direction. Whatever may be our opinion of the President on certain points, and I do not stand here or anywhere as his defender, but admitting that he has marked peculiarities, manifest, however, only in the lack of executive control over those intrusted with the performance of administrative duties, I yet think we ought to have confidence in a statesman who from the year 1858, when he carried on the memorable contest in Illinois with Douglas, until now, has been true to the principles of human liberty and true to the application of those principles under the Constitution to the people of the country, both white and black.

A life of devotion to principle, a life of service—and I make this remark not only with reference to the President but to his subordinate who is charged with the administration of affairs in Louisiana—a life of service and a life indicating capacity should not be set aside even in the presence of errors or of temporary disasters. Therefore, though the President may have made mistakes in reference to affairs in Louisiana and Arkansas, it ill becomes any man, who believes in the principles of human liberty, and that they are destined to control this continent, to arraign the Executive. He should stand justified when he has acted in good faith, with loyalty to the Constitution and with just regard to the rights and liberties of this great people. These remarks are alike applicable to my friend who is charged with the conduct of affairs in Louisiana. For twenty years and more I have known General Banks. I have known him to be a man of capacity, struggling against adverse influences and adverse fortune almost from the moment he crossed the threshold of manhood to the present time.

He has often been frowned on by circumstances ; but he has, in all the emergencies of his life, risen superior to the attacks of enemies and even sustained himself against the assaults of fortune. Whatever other men may think, it is my firm belief, even in the presence of what seems to be a temporary disaster in military operations in Louisiana, that General Banks will do his duty to the country and redeem the territory west of the Mississippi river from the thralldom of the rebellion.

Still further, without entering into an examination of particular things done in Louisiana, I assert that from the moment New Orleans was wrested from the grasp of the rebels until now there has been no part of our territory reclaimed from their control in which the rights of the citizens have been as well protected as in Louisiana, or where there has been so little of personal trouble and suffering, especially among the black race. To be sure wages have been fixed for them, but they have been saved from the lash of the taskmaster, they have been free ; they have been at liberty to choose their own places of labor ; and Louisiana is to-day relieved from the institution of slavery. And I say more, upon information received from many sources, that Louisiana is not only free from slavery through the President's proclamation, but she is to be free permanently through the fact that her people are being identified day by day and week by week with the institutions and principles of freedom. On many of the plantations schools have been opened under the direction of General Banks for the education of children. Thus freedom is becoming the public policy in Louisiana, not through proclamations, not through legislation, not through the Constitution alone, but through the settled conviction of the people that slavery is wrong and that freedom is right.

And now I come to what I purpose to present in the way of argument in favor of the passage of this bill. It is necessary in the beginning that we understand the legal and constitutional relations subsisting between the people of the rebel districts of the country and the national Government. Nobody denies that we are in a war which taxes our capacity and resources. The question is asked, and it has been often discussed, who is responsible for this war ? The time will come when this question will be of no consequence. I am not sure that the time has not come already. I think the responsibility of the war is in the institution of slavery, in its intrinsic incompatibility with freedom everywhere and always. It was incompatible in the beginning, and it was accepted as an existing fact in the States of the country merely because our fathers saw no way of escaping from its malign influence, and also because they labored under the hope, which has proved thus far a delusion, that slavery was temporary and would gradually disappear ; that freedom was permanent, and would become universal.

Slavery has increased and strengthened in this country under the influence of two considerations. First, the apparent pecuniary advantages to be derived from it. Those advantages were not real. The slaveholder and the slaveholding communities were deceived. The result is seen in the great fact that the slave States, with a more inviting climate, with a more fertile soil, have less accumulated wealth than is possessed by the free States as the products of the labor of one or two hundred years. There are no two slave States in this Union that Massachusetts could not have purchased in the open market when this rebellion commenced. In this remark I exclude the idea of property in human beings. That fact is due to the circumstance that slavery, instead of being a profitable, was an impoverishing institution. But men rested in the belief that it was profitable, and therefore they sought to maintain and extend it.

The other reason for fostering and extending slavery in this country is found in the circumstance that the politicians South and North gained power by it. Chiefly, indeed exclusively as far as the North is concerned, are they who sit on the other side of the House, and their political predecessors, responsible for this unholy alliance.

The spur of this revolution was in the census of 1860. It is a memorable fact, which has been often noted, that in 1820, when the census disclosed the truth as to the growing power of the North as compared with that of the South, and again in 1830, and again in 1850, we were on the brink of a revolution. At these several epochs this great fact appeared with full force, and southern leaders were aroused for the moment in the hope that they could strike down in some way or other the power of freedom upon this continent. In 1860 they saw it was impossible for them to continue in the ascendant, and therefore they sought a separation.

But, Mr. Speaker, the South has been guided by men of sense and capacity. They did not enter upon this revolution without counting its cost. They estimated the cost upon the basis of facts which were in their possession, and the evidence which was in their possession tended to this result: That there would be no war; that separation could be effected without a contest of blood on their soil. In the peace congress it was the constant cry of the secessionists, "Give us the assurance, radical men of the North, that there shall be no war." And it was there and at that moment that northern men failed to assert the great truth which was in the hearts of the people, that if these men persisted in the attempt to secure secession there would be war. I believe if northern men and men from the border States had been faithful to truth and duty the calamity of secession would have been averted. Mr. Seddons, the present secretary of war for the rebellious States, occupied fifteen minutes of the time of the convention,

after a motion was made to adjourn *sine die*, in imploring the members of that Congress to give them the assurance that there would be no war. They believed that there would be no war. How came they to entertain that belief? They knew that we had two and a half men for every one at the South. They knew that we were vastly their superiors in all the material resources of war. How came they to believe that we would not exercise the powers which we had? I can explain it only upon one ground, the ground disclosed in the letter of Franklin Pierce, the ground disclosed in the message of James Buchanan in December, 1860, that if there was war it would be in the North.

I will take the responsibility of reading an extract from a speech made in the peace congress by a northern man, Mr. Stockton, of New Jersey. I have copied it from the notes prepared by Mr. Chittenden, and they correspond with my own minutes made at the time and with my recollection of the remarks made by Mr. Stockton. He said :

"I know that this Union cannot be dissolved without a struggle. Will you hasten the time when we shall begin to shed each other's blood? Force fifteen States! Why, you cannot force New Jersey alone. Force the South! Why, they won't stop to count forces. Neither side can be frightened. Don't think of it. You cannot frighten the North any more than you can a Roman soldier. You cannot frighten the South. You cannot frighten either any easier than the chieftain which the Roman poet has immortalized.

"When men meet to save their country they must be prepared to offer up everything, to sacrifice their lives, if necessary. How can men stop for platforms which will destroy their country?

"I appeal to the brotherhood, the fraternity of the North. My friends; peace or war is in your hands. You hold the keys of peace or ruin. You tell us not to hasten this matter. Well, you don't realize the facts, the consequences. No one does. Do you talk here about regiments for invasion, for coercion? You, gentlemen of the North, you know better. I know better. For every regiment raised there for coercion there will be another regiment raised for resistance to coercion. If no other State will raise them, remember New Jersey.

"Pause, gentlemen. Stop where you are. You will bring strife to your own doors, to your very hearthstones, bloody, desperate strife. The war will be in your own homes, among your own families. Under ordinary circumstances you would hesitate. If the question was about the tariff you would hesitate and look at the awful consequences."

It was, as I verily believe, such declarations as this which led the South to engage in a mad crusade for the destruction of the Government. They naturally supposed that after a very short period of commotion the North would accept what they demanded—a separation of the Union. They failed, the North could not afford to see this Union dissolved. It had not the power to submit to its dissolution. Gentlemen upon this floor and elsewhere, I apprehend, make a great mistake when they suppose that the Union depends on the Constitution. The Constitution in its preamble declares that the object for which it was framed was "to form a more perfect Union," implying a previous existence as a Union; and we know that the articles of confederation implied also the existence of a Union. The Declaration of Independence, in its first sentence, sets forth the doctrine of the unity of the colonies: "When in the course of human events it becomes necessary for

one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station, to which the laws of nature and of nature's God entitle them," &c., thus assuming in 1776 the doctrine of the unity of the colonies, of the unity of the continent. That unity cannot be broken. It is now interrupted; it cannot be broken.

The only question, then, in which we have any voice, is whether we shall pursue a policy by which the Union may be restored on the basis of freedom, or whether like cowards we are to lie down and suffer the ruthless hand of despotism to triumph over us. Either a republican Government under the Constitution of the United States, or a despotism guided by Jeff. Davis and his successors, is to be the rule of public life on this continent. Sir, whatever differences of opinion we may have as to the policy which has governed the Administration in the conduct of the war, it cannot be doubted that, as in the beginning of this controversy, the chief hope of the rebels is drawn from the assurances given by men belonging to the Democratic party. The confidence of the South to-day is not so much in the armies which they control as in the possible ascendancy of a party in the North by whose success agreements, conditions, and arrangements may be made and their independence recognized.

Gentleman upon the other side of the House indicate that they do not accept this as true. I make here a qualification. The gentleman from New York, from the fifth district, [Mr. FERNANDO WOOD,] whom I do not now see in his seat, says that there can be no such thing as a war Democrat. I do not agree with him. There are war Democrats in this House, and thousands of them in the country. What I do say is, that there can be no such party as a Democratic party in favor of the prosecution of the war. It is illogical that there should be a Democratic party in favor of the war. The Administration, the Union party, is in favor of its prosecution. Whenever a logical issue is made against that party it must be made upon the ground that the war is not to be prosecuted. How can a man in this crisis of the country's life, who regards the salvation of the Union as of more consequence than anything else, differ from those who support the Administration in the prosecution of the war? They only have a logical ground of difference who believe that the war is wrong and that it ought at once to cease. Therefore it follows that gentlemen on the other side of the House who believe that the war ought to be prosecuted, can, in the nature of things, find no efficient means for carrying out their views except in allying themselves with those who also believe that the war should be prosecuted. The men in any party who have logic can control that party; and therefore, without going into any inquiry whether the gentlemen who are for peace upon that side of the House have more capacity than the gentle-

men who are for war, I still predict that the gentlemen who are for peace will control. They have a logical foundation on which to stand, and they will guide the Democratic party. There may be war Democrats; but a Democratic party in favor of the prosecution of the war cannot be maintained permanently.

It is necessary, as it seems to me, that we should understand the relations subsisting between the States and the national Government. I cannot discuss this subject at length. It is apparent from an examination of the Constitution that the States are supreme in certain things, the General Government supreme in certain other things, and finally that there are in the Constitution two tests, at least, which establish the supremacy and sovereignty of the nation over the States. One of these tests is in that provision by which the General Government guarantees to every State a republican form of government. There is no corresponding guarantee by the States to the Union. The States have not undertaken to guarantee to the nation a republican form of government, showing that the national Government is supreme, and that it is assumed to be able to maintain its own institutions and authority. There is also another provision requiring every officer of each State to take an oath to support the Constitution of the United States; and the Constitution of the United States is made the supreme law of the land, anything in any State constitution or any law to the contrary notwithstanding. In these two particulars, as in many others, the Constitution of the United States is supreme. The States are sovereign in their spheres, but they are not supreme; and the power of the General Government is defined in the Constitution itself.

I could not but be amused at the gentleman from New York, [Mr. FERNANDO WOOD,] who examined the meaning of the words "compact" and "federal" for the purpose of giving the House information as to what the Constitution of the United States means. It so happens that neither of these words is used in the Constitution of the United States, and therefore, whatever may be their meaning, they throw no light on the Constitution itself. But in order to ascertain what the powers conferred on this Government are, we must go to the Constitution. Calling it a compact does not make it any more or less strong than if you call it a constitution, or a league, or an agreement. Thomas Hobbes has said, "Words are wise men's counters, they do but reckon with them; but they are the money of fools."

Now, what is the condition of the rebellious States with reference to the General Government? Gentlemen on the other side of the House assert that the States still exist; that all that is necessary is that officers shall be elected to fill the offices, and then these States are at once in the Union.

The gentleman from Pennsylvania [Mr. STEVENS] maintains, as I understand, that these States are out of the Union; that their

territory is alien territory, and that we are making war against alien enemies. I do not admit either of these positions to be true. I feel quite sure that these eleven once existing States are no longer States of the Union. The evidence on which I rely in support of this position is found first in the declaration made by the authorities of those States that they no longer exist as States of the American Union. Next, we find that for three years and more they have been resisting the authority of the Government and have been carrying on a war against it. It is absurd to say that States or people are a part of the Government under the Constitution, and entitled to constitutional rights and privileges, when they have been thus carrying on war against the Government.

Next apply the tests of the Constitution. The Constitution provides that no State shall raise armies. These eleven States—if they are States in the American Union—have been for three years engaged in raising armies. The Constitution declares that the States shall not enter into any treaty, alliance, or confederation with each other. These eleven States are, as is notorious, in alliance and confederation with each other against this Government, and have been so confederated together for three years. The Constitution requires that the officers of each State shall take an oath to support the Constitution of the United States, while it is notorious that every officer exercising authority or jurisdiction has taken an oath absolving himself, as far as he could do so by an oath, from all allegiance to this Government. Therefore, applying these constitutional tests to the eleven once-existing States, we find that there is no response tending to show that they are States in the American Union.

Nor do I admit that the people in the rebellious States are aliens. They are not of any other country, they are not of any other legal jurisdiction, but they are within the jurisdiction of the Union. Three years ago they were a portion of this Union, and although they have been carrying on a war, that war has not thus far been successful, their independence has not been acknowledged by us, nor has it been recognized by any other nation. They, therefore, are not aliens. They are, to be sure, public enemies, but they are not alien enemies.

Then what is the condition of the people occupying the territory once included in these eleven States? As I believe, and as I attempted to set forth in certain resolutions which I submitted to the House a few weeks ago, these States as political organizations have by their own will ceased to exist. I then submitted the views which I entertain upon that point, to the effect that the existence of a State is a fact within the control of the people themselves, and cannot be influenced by any extraneous power whatever, and that therefore these States have by the will of the people thereof as political organizations ceased to exist.

What, then, remains? That the Government of the United States has legal jurisdiction over this territory and over the people who occupy it; but admitting that fact, it is an absurdity to say that these States still exist and that the people there may, without our consent, elect officers and send Representatives to this body and Senators to the other branch of Congress. I desire to call the attention of the House in this connection to a remark quoted in the *Federalist* from Montesquieu:

“Greece was undone as soon as the King of Macedon obtained a seat among the Amphictyons.”

Gentlemen upon the other side of the House propose that our enemies may come into this Hall and into that of the other branch of Congress and take their seats. What happened to Greece when the King of Macedon obtained a seat in the Amphictyonic Council will surely happen to us as a nation when we concede any portion of this Government to our enemies. Yet that is the proposition of gentlemen on the other side of the House, if their position has any force whatever.

I suppose it will not be denied that we have the right to fix rules and regulations for the admission of new States. It certainly cannot be denied on this side of the House. It would be a monstrous proposition that the people of a Territory—I speak now of Territories acknowledging their allegiance to this Government, as Nevada or Nebraska—can frame a constitution such as pleases them and secure an absolute right their admission into the Union as a State, without any judgment being passed upon that question by Congress. The fact that no State was ever admitted into the Union except by a vote of Congress, implies that for any reason that may be satisfactory to Congress such admission could be refused.

If then, the application of a Territory to be admitted into the Union as a State may be refused, it may be refused for any reason which, in the judgment of Congress, may be deemed sufficient. The reason rests in the mind of Congress. Congress will naturally consider the constitution, the institutions of the proposed State, its extent of territory, and any other circumstances which may properly come within their view, and then decide whether the Territory shall be received as a State into the Union.

If this be true in reference to a Territory, and if it be also true, as I believe it is, that these States as States have ceased to exist, they can only be restored to this Union as States upon the occurrence of two events. The people of the proposed State, a majority of them, as is required by this bill, must apply for admission into the Union as a State, having first declared their loyalty to the Union and to the Constitution of the United States. When a State shall so apply for admission, with a proposed constitution for a State government that shall conform to the Constitution of

the United States, it will then be competent for Congress to say whether it shall be admitted or not. Congress exercises this discretion according to its best judgment, and from its decision there can be no appeal.

This bill fixes three unalterable conditions precedent to such application, without a compliance with which no one of these once-existing States can reappear in the Union.

It is asserted on the other side of the House that we have no right to make such conditions precedent to the organization of a State government, there being a provision in the Constitution that the national Government shall guarantee to each State a republican form of government; and State governments having existed and been recognized as republican in form by Congress, in which the institution of slavery existed, we have no right to change our opinion as to what a republican form of government is. It is at that point exactly where we differ. I say that the question as to what constitutes a republican form of government is under the Constitution always open to the judgment of Congress. I do not mean to say that Congress can appoint a committee of inspection or scrutiny in reference to the constitution of Kentucky, for example. Kentucky having been admitted to the Union, the question for the time being was decided, and her constitution and form of government are recognized as republican. But suppose a controversy should arise in Kentucky, as in Rhode Island two and twenty years ago, and a party by a majority should establish another government, frame another constitution, and exercise authority under that constitution, and there should be a conflict, then the question would be brought before Congress to investigate the matter whether either or both were republican in form. Certainly not whether the old constitution or new is republican in form according to the judgment of our ancestors, not whether it is republican according to the writings of any commentator; but if in the opinion of Congress it should appear that one of these is republican and the other is not, then Congress would set up the republican government, even though the old government should be destroyed thereby.

While I do not claim for Congress the right of scrutiny of the governments of existing States, yet if the question is forced upon Congress in such a manner that it cannot be avoided, then a decision is to be made. From that decision there is no appeal. The Supreme Court in the Rhode Island case held that when Congress decided the question of the character of the government, whether it was republican in form or not, that decision could not be investigated, could not be examined, could not be controlled by any other department or tribunal. We mean by this bill to give notice to the people occupying the territory of the eleven once-existing States, that if they shall frame new constitutions they must come here with governments republican in form according to our ideas.

Gentlemen on the other side have taunted us with the charge that we have changed our policy in reference to the object of this war; that it is no longer for the preservation of the Union, but for the emancipation of the slave. I deny this; but if the policy of the war has been changed it is not the first time in the history of human affairs that similar changes have taken place. I remember that it is the undeviating testimony of history that from the opening of the colonial controversy in 1764 to the month of September, 1774, less than eight months prior to the massacre of Lexington, there was not a paper, there was not a public man, there was not a representative assembly that did not declare that it was the settled purpose of the people of these colonies to maintain the Union with Great Britain. Our ancestors denied again and again the charge made that they contemplated independence. But on the 4th of July, 1776, they declared their independence of the mother country. Events had changed opinions, and opinions had changed the public policy. While we have not changed our policy in regard to prosecuting the war for the purpose of restoring the Union, we do mean that when it is restored it shall be restored on republican principles, and that there shall be no new State admitted into the Union from the unoccupied territory west from Mexico, or by the re-establishment of regular governments in the eleven rebellious States that is not republican in form according to our ideas. The Federalist says:

“There are two methods of curing the mischiefs of faction; the one by removing its causes; the other by controlling its effects.

“There are, again, two methods of removing the causes of faction: the one by destroying the liberty which is essential to its existence; the other by giving to every citizen the same opinions, the same passions, and the same interests.”

We purpose to cure the evil of this faction by removing its cause, slavery, and to give to every citizen of the Republic “the same opinions, the same passions, and the same interests,” in reference to human freedom.

And we are to maintain the doctrine on this continent; I trust, that wherever slavery exists, there republicanism is not; that wherever slavery exists, there a republican form of government, under the Constitution, cannot be. Hence we give notice in this bill to all the inhabitants of those revolted districts that they may form State governments and be admitted into this Union upon certain conditions, the chief of which is that involuntary servitude shall cease to exist.

The argument upon this bill, as far as it depends upon me, is now concluded, and we approach the moment when the judgment of this House is to be expressed. The discussion in which we have been engaged has not elicited marked attention in this Hall, nor has it attracted in an unusual degree the interest of the country. Yet in this measure lie the germs of a new civilization for one half of a continent. The area of the eleven rebellious States, for whose

guidance we now establish a fundamental law, is twice as great as the area of the thirteen colonies, and it is nearly equal to that of England, France, Spain, and the Empire of Austria combined.

If our arms shall be successful—and of this I cannot doubt, unless Divine Providence shall reverse the order of things for purposes inscrutable to mortal eyes—this vast territory is by this great act dedicated to freedom forever. With freedom there will come a new civilization. This new civilization will be marked by an interpretation and preaching of the Holy Scriptures uninfluenced by the lusts and ambitions and designs of a slaveholding aristocracy; and it will be illustrated by a system of free schools for the education of the children of all the people, whether black or white. Under the new civilization labor will be honored and rewarded; the immense landed estates will be broken up, and the children of poverty hitherto, whether white or black, will be endowed by the law and by the fruits of their own industry with a portion of the soil, and thus they will become the supporters and defenders of the country, contributing to its enrichment and power.

There is one feature of the bill which does not receive my approval, and to which I assent only in deference to what I suppose is the present judgment of this House and of the country. I speak of the limitation of the elective franchise to white male citizens. The right of suffrage is not a natural right, but it is the highest among political rights. No community which denies the right of suffrage to any considerable number of its adult male inhabitants can ever be safe from intestine commotion, for wherever this right is so denied the people cannot be safe or even free from oppression. And even if a community in which the right of suffrage is thus limited should be free from actual oppression, still the Government could not escape the suspicions and charges which result from an unjust distribution of political power. In free countries the rights of the people are frequently acquired and they are generally preserved by the ballot. When the ballot fails the resort is to the sword. When you deny the ballot to one-third or one-half of the people of the vast territory covered by the provisions of this bill, what do you leave for them or offer to them but a resort to the sword as the means of removing or redressing the grievances of which they are already the foredoomed victims?

I had indulged the hope until recently that this House would recognize the political rights of the colored race by securing the elective franchise to certain classes, or at least to a single class of those who hereafter should enjoy the protection of the Constitution. The vote upon the amendment of the Senate to the bill establishing the Territory of Montana dissipated at once and for the present this hope. The country will speedily revise our proceedings in this particular. Mark the progress of events! It is not yet two years since you were willing to contribute to the

cause of the Union by the emancipation of the negro. I do not now speak of gentlemen on the other side of the House. I address myself to the friends of the Administration.

But now the President's proclamation of emancipation is accepted with signal unanimity by the people of the country. It has already received the considerate judgment of mankind; and may we not also reverently believe that it receives the constant favor of Almighty God? I am aware that gentlemen on the other side of the House still utter their accustomed denunciations of the measure; but their words are like the wonderful missile of the South Sea Islander, which cuts the air fiercely and then falls harmlessly at the feet of him from whose hand the weapon was hurled.

The people accept the freedom of the negro; having recognized his right to freedom, they bid him to do service for the country. When he has served the country in the field the justice of the nation will guarantee to him the power to maintain his rights in civil life. At first you remanded the fugitive negro to his rebel master. Then, and reluctantly, you accepted the services of the negro upon the condition that he should dig in the trenches and thus relieve the white soldier of the most arduous portion of his labors. Then, if he could still be classed as a laborer, you would allow him to perform the duty of a soldier in garrison and in pestilential regions; but at last you have recognized his manhood and given expression to a public sense of justice by allowing him the position, pay, and emoluments of a soldier of the Republic.

Thus are events our masters; and thus does the country hesitate even in the presence of these events to perform those acts of justice which are due to one race and necessary for the salvation of the other. When, and by what means, and for what period of time do you expect to set up and maintain loyal governments in the rebellious districts of the Union unless you confer the elective franchise upon the negro? The military power must at some moment not remote be withdrawn. The remnant of the dominant class will be powerful for a generation. There is a large number of poor whites, unaccustomed to independent thought or to independent action. The colored people are loyal, and in many States they are almost the only people who are trustworthy supporters of the Union. Will you reject them? I ask whether you will reject the civil and political power of the colored people in South Carolina, for example? If I could direct the force of public sentiment and the policy of this Government, South Carolina, as a State with her ancient name, should never reappear in this Union. Georgia deserves a like fate. When the Constitution was formed she united herself with South Carolina and forced the recognition of the institution of slavery. They are the two States that are responsible for the continuance of this institution. I appeal to gentlemen who have examined our colonial records for the proof of

the assertion I make, that in North Carolina, in Virginia, Maryland, and in every one of the now free States, then existing, declaration after declaration was made against the institution of slavery. It was condemned in Maryland, in Virginia, and in North Carolina. South Carolina and Georgia breathed into it the breath of life, and if I had the power neither of those States should reappear in the Union. Florida does not deserve a name in this Union. What then? Let these three States be set apart as the home of the negro. Invite him there by giving to him local political power. Give him the right of suffrage in those States, and the colored population, as rapidly as it can be spared from the industrial pursuits of the North, will aggregate upon the shores of the Atlantic and the Gulf of Mexico. Give them local self-government and let them defend themselves as a portion of this Republic.

[Here the hammer fell.]

Mr. ASHLEY. I ask that by unanimous consent the gentleman's time shall be extended for ten minutes.

No objection was made.

Mr. BOUTWELL. I do not in my place here ask that in Kentucky or Maryland, or in any one of the northern loyal States where a negro population exists, the right of suffrage shall be given to them, but in the rebel districts, and especially in South Carolina, Georgia, and Florida, I would provide for the right of suffrage to colored persons. They have earned it by their services in the field, and there is a degree of injustice in asking a man to peril his life in the cause of the country and in defence of institutions in the creation and conduct of which he has no voice whatever. There is an injustice in this. It cannot stand the test of time nor the scrutiny of civilization.

Sir, great misrepresentations have been made, not only with reference to the negroes in this country but with reference to the experiment of emancipation in the British West Indies. I will read a few statistics which, in their results, show what has been accomplished by the black population of the West Indies emancipated by the British Government less than thirty years ago. I venture to anticipate what I have to say by expressing my belief that, with the exception of Greece, there are no people on the face of the earth who have made more progress than the emancipated slaves in some of the British West Indies. What have they done? Take, for example, Barbadoes. They have opened schools, and out of a population of 140,000 7,000 children are in the schools, and they have over 3,000 landholders. In Antigua, with a population of 35,000, they have more than 10,000 children in the day and Sunday schools, and 5,000 landholders among those who were formerly slaves. In Tobago there are 2,500 landholders, in a population of 15,000. In St. Lucia, with 25,000 inhabitants, there are more than 2,000 landowners. And even in

Jamaica, which is an exception to the West India islands in the matter of prosperity since emancipation, in a population of 400,000 they have 50,000 freeholders. These returns are for 1860.

So, then, if you test that people who came from slavery and barbarism in 1834 by the two tests of primary civilization, cultivation of the soil, and education of the children, they have made great progress. But it is worth while to remember that Barbadoes is one of the most populous portions of the Globe. Of the one hundred and six thousand acres of land, one hundred thousand are under cultivation, and the price of the cultivated land is from four to five hundred dollars an acre.

If it is shown in a single instance that emancipated slaves have been able to take care of themselves and make progress, though there may be twenty instances of failure, still the one instance of success demonstrates their capacity, and the failures are to be attributed to misfortune and the influence of circumstances.

The dependencies of Guiana, Trinidad, Barbadoes, and Antigua, previous to emancipation produced 187,000,000 pounds of sugar, and in 1856-57 they produced annually 265,000,000, showing a gain of nearly 78,000,000 pounds a year; and their imports went up from \$8,840,000 to \$14,600,000 a year.

Mr. Hincks, the late Governor General of the Windward islands, states from his own knowledge and observation, that on an estate in Barbadoes, ninety blacks perform the work formerly done by two hundred and thirty slaves; and that the produce of each laborer during slavery was 1,043 pounds of sugar, and the produce of each laborer since emancipation is 3,660 pounds. He also states that the cost per hogshead under slavery was £10 sterling, while in 1858 it was produced at a cost of £4 sterling. In Antigua, with a population of 35,000, they contribute equal to £1 sterling each by taxation, for the support of religious, charitable, and educational institutions. I assert that the experience of the British West Indies has demonstrated the capacity of the negro race.

I ask for this people justice. In the presence of these great events, in this exigency when the life of the nation is in peril and when every reflecting person must see that the cause of that peril is injustice to the negro, I ask that we shall now do justice to his race. They are four millions. They will remain on this continent. They cannot be expatriated. They await the order of Providence. Their home is here. It is our duty to elevate them, to provide for their civilization, for their enlightenment, that they may enjoy the fruits of their labor and their capacity. The nation which is not just shall finally

“Stand
Childless and crownless in her voiceless woe,
An empty urn within her withered hand.”

NOTE.—The following Resolutions, referred to in the foregoing speech, were presented to the House of Representatives by Mr. BOUTWELL on the 16th day of February last :

Resolved, That the committee on the rebellious States be instructed to consider and report upon the expediency of recommending to this House the adoption of the following

Declaration of Opinions :

In view of the present condition of the country, and especially in view of the recent signal successes of the national arms promising a speedy overthrow of the rebellion, this House makes the following declaration of opinions concerning the institution of slavery in the States and parts of States engaged in the rebellion, and embraced in the proclamation of emancipation issued by the President on the 1st day of January, A. D. 1863; and also concerning the relations now subsisting between the people of such States and parts of States on the one side and the American Union on the other.

It is therefore declared, (as the opinion of the House of Representatives,) that the institution of slavery was the cause of the present rebellion, and that the destruction of slavery in the rebellious States is an efficient means of weakening the power of the rebels; that the President's proclamation, whereby all persons heretofore held as slaves in such States and parts of States have been declared free, has had the effect to increase the power of the Union and to diminish the power of its enemies; that the freedom of such persons was desirable and just in itself, and an efficient means by which the Government was to be maintained and its authority re-established in all the territory and over all the people within the legal jurisdiction of the United States; that it is the duty of the Government and of loyal men everywhere to do what may be practicable for the enforcement of the proclamation, in order to secure in fact as well as by the forms of law the extinction of slavery in such States and parts of States; and finally, that it is the paramount duty of the Government and of all loyal men to labor for the restoration of the American Union upon the basis of freedom.

And this House does further declare, That a State can exist or cease to exist only by the will of the people within its limits, and that it cannot be created or destroyed by the external force or opinion of other States, or even by the judgment or action of the nation itself; that a State when created by the will of its people can become a member of the American Union only by its own organized action and the concurrent action of the existing national Government; that when a State has been admitted to the Union, no vote, resolution, ordinance, or proceeding, on its part, however formal in character or vigorously sustained, can deprive the national Government of the legal jurisdiction and sovereignty over the territory and people of such State which existed previous to the act of admission, or which were acquired thereby; that the effect of the so-called acts, resolutions, and ordinances of secession adopted by the eleven States engaged in the present rebellion is, and can only be, to destroy those political organizations as States, while the legal and constitutional jurisdiction and authority of the national Government over the people and territory remain unimpaired; that these several communities can be organized into States only by the will of the loyal people expressed freely and in the absence of all coercion; that States so organized can become States of the American Union only when they shall have applied for admission, and their admission shall have been authorized by the existing national Government; that when a people have organized a State upon the basis of allegiance to the Union and applied for admission, the character of the institutions of such proposed State may constitute a sufficient justification for granting or rejecting such application; and inasmuch as experience has shown that the existence of human slavery is incompatible with a republican form of government in the several States or in the United States, and inconsistent with the peace, prosperity and unity of the nation, it is the duty of the people and of all men in authority to resist the admission of slave States wherever organized within the jurisdiction of the national Government.